

REMARKS

Applicant has carefully reviewed the Examiner's February 12, 2003, Official Action and respectfully requests reconsideration based on the above amendments and the following comments.

Claims 7 and 8 have been cancelled and new claims 9 and 10 added. Claims 1-6, 9 and 10 remain in the application for consideration.

Applicant respectfully traverses the Examiner's rejection of claim 6 under 35 U.S.C. § 112, first paragraph.

First, Applicant notes that the Examiner has full discretion under the regulations to determine whether or not a claimed feature need be shown in the drawings. In this situation, Applicant respectfully submits there is no need to illustrate fastening means at each end of the cable as this is clearly a conventional feature taught by fasteners on the ends of a bungee cord as discussed on page 4, lines 33-37 of the specification and thus well known to the skilled artisan.

Applicant respectfully requests that this rejection be withdrawn especially since amending the drawings requires an unnecessary expenditure.

In response to the Examiner's rejection of claims 7 and 8 under 35 U.S.C. § 112, second paragraph and objection to the specification, Applicant has cancelled claims 7 and 8 in favor of new claims 9 and 10 which eliminate the problem identified by the Examiner and properly identifies Rhodorsil™

as required by the Examiner. Applicant respectfully submits that the Examiner's 35 U.S.C. § 112, second paragraph rejection and objection to the specification have now been overcome.

The Examiner has further rejected claims 1-8 under 35 U.S.C. § 103(a) as being unpatentable over Griffith in view of Applicant's specification. Applicant respectfully traverses this rejection for the following reasons.

Applicant does not contest that polysiloxane is a known material. This is clearly described in the description on page 3, lines 35-39 and on page 4, lines 1-5. However, polysiloxane is widely used only in other fields, such as in medical products, such as in seals or gaskets and in sheaths for electrical wires. The known properties of the polysiloxane material are the high chemical inertness, the high hydrophobicity, good adhesion properties, and the compression strength. However, the stretching properties of polysiloxane materials are not known per se. Applicant respectfully submits that it has not only discovered these properties, but has also applied these properties for the fabrication of the claimed elastic tensioning cable.

Accordingly, claims 1-6 and 9-14 cannot be obvious over the cited reference to Griffith alone or in combination with the knowledge of the man skilled in the art as clearly, there is no suggestion in Griffith for substituting

polysiloxane for the material of the tensioning cable disclosed in Griffith.

Applicant respectfully submits that there is no teaching whatever in the cited prior art of polysiloxane having stretching properties useful in producing a tensioning cable as claimed by Applicant. Accordingly, there is no basis for the Examiner's attributing such properties to the claimed cable.

Applicant submits that the invention is new and unobvious and not disclosed by the cited art. Accordingly, Applicant respectfully solicits the Examiner's early review and issuance of this application.

Respectfully submitted,

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